

JOSEPH P. RUSSONIELLO (CSBN 44332)  
United States Attorney

BRIAN STRETCH (CSBN 163973)  
Chief, Criminal Division

DENISE MARIE BARTON (MABN 634052)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-7359  
Facsimile: (415) 436-7234  
denise.barton@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 07-668 PJH
	)	
Plaintiff,	)	STIPULATION AND [PROPOSED] ORDER
	)	EXCLUDING TIME
v.	)	
	)	
MELVIN PARKER,	)	
	)	
Defendant.	)	
	)	

On December 19, 2007, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from December 19, 2007 through January 16, 2008. The parties represented that granting the continuance was

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1 necessary for effective preparation and continuity of counsel, taking into account the exercise of  
2 due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).

3  
4 SO STIPULATED:

5  
6 JOSEPH P. RUSSONIELLO  
7 United States Attorney

8 DATED: January 16, 2008

9 /s/ Denise Barton  
10 DENISE MARIE BARTON  
11 Assistant United States Attorney

12 DATED: January 16, 2008

13 /s/  
14 STEVEN G. KALAR  
15 Attorney for MELVIN PARKER

16 As the Court found on December 19, 2007, and for the reasons stated above, the Court  
17 finds that the ends of justice served by the continuance outweigh the best interests of the public  
18 and the defendant in a speedy trial and that time should be excluded from the Speedy Trial Act  
19 calculations from December 19, 2007 through January 16, 2008 for effective preparation and  
20 continuity of counsel. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested  
21 continuance would deny counsel reasonable time necessary for effective preparation and  
22 continuity of counsel, taking into account the exercise of due diligence, and would result in a  
23 miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

24 SO ORDERED.

25  
26 DATED: \_\_\_\_\_

27 HON. PHYLLIS J. HAMILTON  
28 United States District Court Judge